

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 25th DAY OF JULY, 2011 AT 6:30 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	James D. Politis	-Chair
	William H. Brown	-Vice Chair
	Mary W. Biggs	-Supervisors
	Gary D. Creed	
	Doug Marrs	
	Annette S. Perkins	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Brian Hamilton	-Economic Development Director
	Steve Sandy	-Planning Director
	Dari Jenkins	-Zoning Administrator
	Ruth L. Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors

ABSENT:	John A. Muffo	-Supervisor
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CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

1. Old Blacksburg Middle School Property
2. Old Blacksburg High School Property

- (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Montgomery Tourism Development Council
2. Parks & Recreation Commission

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	John A. Muffo
Annette S. Perkins		
William H. Brown		
Mary W. Biggs		
Doug Marrs		
James D. Politis		

OUT OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo
William H. Brown		
Mary W. Biggs		
Doug Marrs		
Gary D. Creed		
James D. Politis		

CERTIFICATION OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

William H. Brown
Mary W. Biggs
Doug Marrs
Gary D. Creed
Annette S. Perkins
James D. Politis

NAYS

None

ABSENT DURING VOTE

John A. Muffo

ABSENT DURING MEETING

John A. Muffo

INVOCATION

A moment of silence was led by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC HEARING

Rezoning and Special Use Permit Amendment Request – Billy D. and Ruth G. Massie - A request by Billy D. & Ruth G. Massie to rezone approximately 2.4 acres from Agriculture (A-1) to Planned Mobile Home Residential Park (PMR), with possible proffered conditions, and an amendment to a Special Use Permit approved 4/8/2002 to allow a ten (10) unit expansion of the existing Massie's Mobile Home Park for a total of 174 units on 45.307 acres . The

properties are located at 232 Coal Hollow Road and 2720 Peppers Ferry Road and are identified as Tax Parcel Nos. 64-A-165, 64-A-169, 64-A-171, 64-A-172, 64-A-173, 64-A-176, 64-A-181 & 64-A-185C (Parcel ID #'s 018494, 013076, 005101, 017988, 001934, 011982, 011977, 033492) in the Riner Magisterial District. The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further described as High Density Residential within the Belview Village Plan.

Dari Jenkins, Zoning Administrator, provided a summary of the request. The applicants are requesting the rezoning of approximately 2.4 acres from Agriculture to Planned Mobile Home Residential Park and an SUP amendment to allow an additional 10 unit expansion in the Massie Mobile Home Park.

At their July 13, 2011 meeting, the Planning Commission recommended approval of the request with nine conditions.

Travis Mitchell stated his concerns regarding the request for additional units were addressed during the staff presentation. He was unclear where the additional units were going to be located along Coal Hollow Road, but understands four additional units will be located within the mobile home park near Coal Hollow Road.

There being no further speakers, the public hearing was closed.

PUBLIC ADDRESS

There being no speakers, the public address session was closed.

INTO WORK SESSION

On a motion by Doug Marrs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Financial Update – Davenport & Company
2. National Citizen Survey - Public Information Officer
3. Route 11/460 Lafayette Area Plan Update

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	John A. Muffo
Doug Marrs		
Gary D. Creed		
Annette S. Perkins		
William H. Brown		
James D. Politis		

Financial Update

Courtney Rogers, the County's Financial Consultant with Davenport & Company, LLC, provided an update on the County's proposed plans for financing school construction projects. The County has identified potential school capital projects including a new Auburn High School, renovation of the old Auburn High School into Auburn Middle School, and a new Blacksburg High School. The School Board has decided to use a PPEA arrangement to design and build the schools with the Board of Supervisors approving the use of the PPEA arrangement. A total of \$124.5 million has been approved for these projects. The County will need to borrow \$97.4 million in addition to the \$15 million in Qualified School Construction Bonds (QSCB). The borrowing of these bonds will require a 10 cent real estate tax increase in FY 2013. Mr. Rogers expects that the County will maintain its current bond rating. They anticipate the sale of the bonds in September 2011.

National Citizen Survey

Ruth Richey, Public Information Officer, made a presentation on a National Citizen Survey. Montgomery County is proposing to conduct a citizen survey through the International City/County Management Association (ICMA). Information was given on what types of questions and process is used. Survey materials are to be mailed to 1200 randomly selected citizens in August. The results of the survey will be available by November 2011.

Route 11/460 Lafayette Area Plan Update

Steve Sandy, Planning Director, reported that Montgomery County is working to draft the Lafayette Area Route 11/460 Corridor Plan. This is an area of Roanoke Road (US 460) that passes through Elliston and Lafayette and is an important gateway into Montgomery County. There are a number of planned projects and potentials for change in this area and the County is using a planning grant from the State to plan for this corridor and its future. They are looking at transportation, business/industrial, and land issues and will plan accordingly.

OUT OF WORK SESSION

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	John A. Muffo
Gary D. Creed		
Annette S. Perkins		
William H. Brown		
Doug Marrs		
James D. Politis		

CONSENT AGENDA

Supervisor Creed requested Consent Item C-1, *Appointment to the Montgomery-Floyd Regional Library Board*, be removed from the Consent Agenda and added under New Business.

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda, with the removal of the MFRLB appointment, dated July 25, 2011 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	John A. Muffo
Annette S. Perkins		
William H. Brown		
Mary W. Biggs		
Doug Marrs		
James D. Politis		

Appropriations and Transfers

A-FY-12-19 SHERIFF RE-APPROPRIATION OF DMV GRANT AND PETTY CASH FUNDS

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2012, for the function and in the amount as follows:

320 Sheriff - County	\$ 8,054
321 DMV Grant	<u>\$18,765</u>
Total	\$26,819

The sources of funds for the foregoing appropriation are as follows:

Revenue Account:

451205	Designated Fund Balance	\$ 8,054
424401	Sheriff Grants	<u>\$18,765</u>
	Total	\$26,819

Said resolution reappropriates account balances of grants and confidential petty cash funds that remained at June 30, 2011.

**R-FY-12-08
STATE BUDGET CUTS METHOD
OF REIMBURSEMENT FOR FY 2012**

On a motion by Annette S. Perkins, seconded by William H. Brown and carried unanimously,

WHEREAS, The 2012 Appropriations Act requires the reduction in state aid to local governments in FY 2012; and

WHEREAS, The Act also provides three methods from which a locality can choose to carry out the required reduction which include:

1. Take the reduction from one or more programs on a list provided by the Department of Planning and Budget,
2. Make a reimbursement payment directly to the state for the total locality reduction,
3. Elect a combination of reductions and reimbursement payments,

WHEREAS, The Department of Planning and Budget identified Montgomery County's reduction for FY 2012 totaling \$408,350.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that Montgomery County elects to take the reduction from one or more programs on a list provided by the Department of Planning and Budget, as the method to address the required state mandated funding reduction.

**R-FY-12-10
LIVESTOCK CLAIM
TIMOTHY ASSAD**

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that Timothy Assad is hereby compensated \$184.00 for the loss of 23 chickens.

NEW BUSINESS

**R-FY-12-11
APPOINTMENT
MONTGOMERY-FLOYD
REGIONAL LIBRARY BOARD**

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Brenda Darlene Richardson** to the **Montgomery-Floyd Regional Library Board** effective July 1, 2011 and expiring June 30, 2015.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	Gary D. Creed	John A. Muffo
William H. Brown		
Mary W. Biggs		
Doug Marrs		
James D. Politis		

Supervisor Creed commented that he voted no because he supported another candidate. This is no reflection that the appointed candidate is not qualified.

**A-FY-12-21
VOTER REGISTRAR
TRANSFER FROM GENERAL CONTINGENCIES
AND SPECIAL CONTINGENCIES
REDISTRICTING EXPENSES AND PERSONNEL**

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950	General Contingencies	(\$28,506)
960	Special Contingencies	<u>(\$40,000)</u>
	Total	(\$68,506)

TO:

170	Registrar	\$68,506
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Said resolution transfers funds from General Contingencies to the Registrar for costs associated with hiring two part-time personnel and from Special Contingencies for redistricting costs.

The vote on the foregoing resolution was as follows:

AYE

Gary D. Creed
Annette S. Perkins
William H. Brown
Mary W. Biggs
Doug Marrs
James D. Politis

NAY

None

ABSENT

John A. Muffo

**R-FY-12-12
RESOLUTION IN SUPPORT OF RESTORATION
OF STATE FUNDING FOR AID TO LOCALITIES**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

Whereas, State financial assistance for mandated and high priority programs, including public education, health and human services, public safety and constitutional officers, is \$800 million less in FY12 than in FY09; and

Whereas, Cities and counties must balance their budgets during a time in which future state assistance is unreliable, federal stimulus dollars are dwindling, and real estate assessments are declining; and

Whereas, The Appropriation Act contains \$60 million in across-the-board cuts to cities and counties for both FY11 and FY12, under which localities are required to either elect to take reductions in particular state aid programs, or to send the State a check for the amounts determined by the Department of Planning and Budget ("Local Aid to the State"); and

Whereas, The reductions are applied to essential services, including law enforcement, jail administration, foster care and child protection services, election administration and social services; and

Whereas, The County of Montgomery, Virginia does not have the authority to unilaterally decide to discontinue providing services such as election administration or to refuse to house and care for State prisoners in local and regional jails; and

Whereas, The state budget cuts are not accompanied by any reductions in state-imposed mandates, standards and service requirements, nor do they provide any administrative flexibility for local agencies; and

Whereas, The County of Montgomery's share of the flexible cut was \$407,762 in FY11, and the County will be required to take another reduction in FY12 of \$408,350; and

Whereas, Cities and counties will have provided the State with \$220 million by the close of FY12 for this "Local Aid to the State" program; and

Whereas, These reductions shift State costs to local taxpayers and artificially increases the amount of state surplus revenue; and

Whereas, State revenues have begun to recover and the State is expecting to have a revenue surplus for the second year in a row; and

Whereas, Revenue collections for the County of Montgomery continue to reflect the struggling housing market; and

Whereas, The State should not shift its share of the costs for mandates and responsibilities to local governments.

NOW THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia asks Governor Bob McDonnell to submit a budget amendment to the 2012 session of the General Assembly to reverse the \$60 million-a-year reduction for the current year, FY12, and to eliminate the aid to localities reduction in the budget submitted for FY13 and FY14.

BE IT FURTHER RESOLVED, That the members of the General Assembly support a budget amendment to the 2012 session of the General Assembly to reverse the \$60 million-a-year reduction for the current year, FY12, and to eliminate the aid to localities reduction in the budget submitted for FY13 and FY14.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo
William H. Brown		
Mary W. Biggs		
Doug Marrs		
Gary D. Creed		
James D. Politis		

COUNTY ADMINISTRATORS REPORT

The County Administrator reported on the following items:

1. County's Consolidated Collection Sites and Unmanned Site: The County Administrator reported that signs have been erected stating that the collection site is for use by Montgomery County citizens only.
2. Montgomery-Christiansburg Citizens Academy: Montgomery County and the Town of Christiansburg are partnering to offer the first Montgomery-Christiansburg Citizens Academy to provide an overview of how local government works. It will be held on Mondays, Aug. 1 – Sept. 19, with the graduation and reception for participants scheduled for September 19, 2011. The registration has ended and they have 20 participants.
3. Legislative Priorities for 2012: The County Administrator reported that the Board's legislative priorities for 2012 will need to be drafted and adopted by October.
4. A social meeting with the Town of Blacksburg and the Town of Christiansburg will be held on Monday, August 29, 2011.
5. Montgomery County FY 11 Annual Report: The Public Information Office has prepared the County's Annual Report in a video format. At this time the Public Information Officer Ruth Richey showed the video.

BOARD MEMBERS' REPORTS

Supervisor Creed PPEA Process: Supervisors Creed asked how much it really is costing the County by using the PPEA arrangements for school construction projects and by rapidly pushing them forward. He believes the citizens have the right to know the exact costs.

Supervisor Brown reported that the Fire & Rescue Commission voted unanimously not to entertain any type of fees for service until receiving an official request to review further. Supervisor Brown stated several people are trying to rush the Commission to approve the implementation of fees for service. The F&R Commission believes that a thorough review/study on fees for service needs to be conducted before imposing any types of fees for fire and rescue services.

Supervisor Perkins reported that Thomas Heavner, who served on the County's Board of Zoning Appeals (BZA), passed away. She asked that a resolution of commemoration be added to the next agenda.

Supervisor Politis reported the grand opening of the Riner Volunteer Rescue Squad was July 16, 2011.

ADJOURNMENT

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously, the meeting adjourned to Monday, August 8, 2011 at 6:30 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo
William H. Brown		
Mary W. Biggs		
Doug Marrs		
Gary D. Creed		
James D. Politis		

The meeting adjourned at 9:30 p.m.

APPROVED: _____	ATTEST: _____
James D. Politis	F. Craig Meadows
Chair, Board of Supervisors	County Administrator